MEMO

Date: May 5, 2005

To: Energy and Environment Committee (EEC)

From: Jacob Lieb, Acting Lead Regional Planner, (213) 236-1921, lieb@scag.ca.gov

Subject: Environmental Justice Review of 2004 Regional Transportation Plan (RTP), Workshop on March 30

SUMMARY

At the direction of the Energy and Environment Committee (EEC), staff convened a group of Environmental Justice experts to review SCAG's efforts for the recently completed 2004 RTP, and to provide suggestions for future processes.

BACKGROUND

As the designated Regional Transportation Planning Agency (RTPA) for Southern California, SCAG is required by Title VI of the Federal Civil Rights Act, along with associated executive orders and regulations, to include Environmental Justice in its planning efforts. SCAG is required to ensure that the benefits and burdens of its programs are fairly distributed.

SCAG's Environmental Justice Program efforts are carried out in two ways:

1. SCAG endeavors to include minority, low income, and under-served communities in its planning efforts, and
2. SCAG conducts technical analysis of its plans in order to determine the presence or lack of equitable distribution of benefits and costs.

SCAG detailed its Environmental Justice Program in Appendix G of the 2004 RTP. The Energy and Environment Committee subsequently asked staff to review its procedures and to consult with Environmental Justice experts on our practices. Staff has assembled a list of approximately 30 academics, activists and peers for this purpose.

A workshop was held on March 30, 2005, and was attended by seven individuals representing various advocacy, community, and government organizations. The workshop featured a brief introductory presentation on SCAG's EJ efforts, followed by an open discussion. Participants offered various comments, summarized as follows:

SCAG's analytical approaches should:

1. capture data on trip making other than home to work, particularly for lower income residents,
2. be based on a competitive analysis approach whereby the most cost-effective and equitable, transportation modes and investment options receive the most funding,

3. feature a more robust set of alterantives,
4. collect more data, including the preparation of a new travel survey.

There are Environmental Justice concerns about specific transportation projects included in current SCAG plans, including:

1. goods movement/truck lanes,
2. 710 freeway,
3. airports.

Some potential projects would be viewed favorably from and Environmental Justice perspective, including:
1. increased bus,
2. increased light rail in certain locations/circumstances,
3. transit pricing programs,
4. open space and access to open space.

Environmental Justice should be elevated in the decision making process, such that:
1. it cannot be viewed as an "add on" to the overall transportation planning process,
2. analysis is performed earlier so that it factors into more decisions,
3. Environmental Justice communities are allowed a veto over projects in the plan,
4. a separate Environmental Justice report, or depending on circumstances, and "minority report" is prepared.

The participants in the session expressed an interest in pursuing further discussions and involvement in the development of the Environmental Justice Program for the next RTP.

A set of formal written comments was submitted by the Center for Law in the Public Interest, and is attached here.

CENTER
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IN THE
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INTEREST

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March 28, 2005

Ms. Margaret Clark
Chair of the Energy and Environment Committee
Southern California Association of Governments
818 W. Seventh Street, 12th Floor
Los Angeles, CA 90017

Re: *Environmental Justice Comments on SCAG's Regional Transportation Plan*

Dear Ms. Clark:

The Center for Law in the Public Interest (the Center) submits the following environmental justice comments regarding the Southern California Association of Governments (SCAG) 2004 Regional Transportation Plan.

The Center is making California a better place to live, learn, work, and play, with equal justice, democracy, and livability for all. We are implementing a new vision for the Los Angeles region: a comprehensive and coherent web of parks, playgrounds, schools, beaches, forests, and transportation that promotes human health and economic vitality, and reflects the diverse cultural urban landscape. Our key strategies include: coalition building, public education, policy and legal advocacy outside the courts, multidisciplinary research and analyses, strategic media campaigns, creative engagement of opponents to find common ground, and impact litigation as a last resort.

The Center is concerned about the lack of adequate public transportation for the residents of the Southern California region, especially low-income communities of color. Los Angeles may be regarded as the car capital of the world, but for the working poor and other people with limited or no access to a car who depend on public transit, it can be almost impossible to get to work, school, the market, parks, forests and beaches, doctors, or many other basic needs of life.

Better, cheaper, safer, clean-fuel bus service is the backbone of the transportation system in Los Angeles. Over 70% of the transit ridership in the SCAG region is on Los Angeles County Metropolitan Transportation Authority (MTA) vehicles, and over 90% of MTA boardings are on buses – and close to 95% of all SCAG region boardings are on buses. Subway, light rail, and commuter rail systems depend on buses to get people to and from stations. Buses reduce the need for cars on streets and highways. Without an effective bus system, the rail system will not work. Roads will become more congested. Pollution, related human health, and global warming problems will worsen.

Access to public transportation is also important to increase access to our natural lands and public spaces. A very good example is access to Southern California's four national forests. According to a study by students in the USC Department of Geography, there is virtually no good way to reach the four forests of Southern California by public transportation. Similarly, there is no easy way to reach the beaches of the Los Angeles region. Access to parks, forests, beaches, and other green spaces is important for the benefit of all Southern California residents.

Enclosed you will find our comments and analysis of SCAG's 2004 Regional Transportation Plan, the USC forest transit study, an excerpt regarding transit to the beach from a forthcoming report on access to beaches, and "Crossroad Blues: the MTA Consent Decree and Just Transportation," a chapter I co-authored with Thomas A. Rubin in the book on transportation justice, *Running on Empty*. The article documents the historic class action lawsuit that charged MTA with operating separate and unequal bus and rail systems that discriminated against bus riders who were disproportionately poor and people of color. This case resulted in the largest civil rights settlement in the nation's history – and the biggest increase in transit ridership in the SCAG Region in the last two decades.

Please make copies of these materials for distribution to all SCAG members. Thank you for your attention to this matter.

Sincerely,

Robert García
Executive Director

Enclosures: Public Comments and Analysis
USC forest transit study
Access to beach report excerpt
Crossroad Blues

cc: Mark A. Pisano, Executive Director

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS
FINAL 2004 REGIONAL TRANSPORTATION PLAN
ENVIRONMENTAL JUSTICE – APPENDIX D
COMMENTS

SUMMARY OF FINDINGS AND RECOMMENDATIONS

SCAG should be given great credit for being the first Metropolitan Planning Organization in the U.S. to perform an Environmental Justice (EJ) analysis and include it in its Regional Transportation Plan (RTP) process and reports. However, as in every first attempt, there is a continuing need to study and analyze the results and improve them subsequently.

We specifically recommend the following improvements:

1. The EJ analysis must be part-and-parcel of the RTP planning process as it is conducted, not an after-the-fact add-on.
2. The RTP and corridor planning processes must include more transportation alternatives, including low-cost alternatives to expensive transit guideways, such as fare reductions/bus service improvement programs, and they must be fairly considered prior to major transportation decisions being made. The impacts on members of protected groups of the alternatives should be determined and presented to decision-makers.
3. While home-to-work commute analysis is an essential component of any transportation planning process, it is not acceptable to ignore all other trip, particularly in EJ analysis, where many members of protected groups – particularly low-income residents – are not employed.
4. The same source data and statistics should be utilized for both the "main" RTP and EJ analysis, not separate and non-consistent data that is not even from the RTP analysis period (unadjusted year 2000 Census data used to analyze RTP EJ for 2005-2030 period).
5. For home-to-work "accessibility" studies, we recommend utilizing 30 minutes, rather than 45 minutes, as the one-way travel time, as being more consistent with the local average commuter time (28.1 minutes) and the usual travel time for such studies.
6. We recommend that "accessibility" be also studied on the basis of travel time required to reach jobs, both on "clock" time and "perceived" time bases.

DETAILED FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS

1. We are pleased that SCAG continues to model and analyze data for protected groups beyond those ethnic and racial ones required by Title VI, incorporating the low income test required by Executive Order (EO) 12898. We do question, however, why results of gender and age group analysis – mandated by the same EO – are not included.

2. The introduction section fails to discuss the legal requirements of California Government Code § 11135. Government Code section 11135 prohibits intentional discrimination and unjustified discriminatory impacts[1]. In addition, California law defines environmental justice as "the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies[2]." The California Coastal Commission adopted a local coastal plan requiring Malibu to maximize public access to the beach while ensuring the fair treatment of people of all races, cultures, and incomes[3]. This is the first time an agency has implemented the statutory definition of environmental justice under California law (discussed below), setting a precedent for other agencies throughout the state. SCAG should adopt a similar provision based on California law.

3. We consider questionable the accessibility analysis logic, described at page G-4, to address the technical problem of analyzing the value of time savings by assigning costs to the time of the members of each of the five income quintiles. SCAG's approach to this issue was:

> "In this analysis, travel time was held constant for everybody so that differences could be seen in the extent of opportunities reachable by (or accessible to) various population groups."

As we understand what was actually done, "travel time ... held constant" means that "the accessibility measurement is defined as the percentage of total available regional job opportunities within 45 minutes (of travel)" (page G-17).

First, we question the use of 45 minutes, which we assume refers to one-way travel time. The mean travel time to work in the Los Angeles-Riverside-Orange County CMSA for 2003 was 28.1 minutes (American Community Survey)[4].

The 45 minutes used by SCAG is 162% of the 28.1 minute mean from ACS for 2003. Assuming 360 degree possibility of travel and equal speed of travel in all directions, the area covered by a 45 minute travel time would be 264% of the 28.1 minute travel time. We suggest that 45 minutes is too long a period and suggest that 30 minutes be utilized instead. In our experience, 30 minutes accessibility is both far more common a measure of accessibility in analyses such as this and reasonably close to both the national and SCAG Region actual mean home-to-work commute times.

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1 *See* Cal Gov. Code § 11135 *et seq.*; 22 CCR § 9810.

2 Cal. Gov. Code § 65040.12. The Governor's Office of Planning and Research is currently working on implementing this code section.

3 Malibu Local Coastal Program Land Use Plan adopted by California Coastal Commission (Sept. 13, 2002).

4 While the LA-Riverside-OC CMSA is not identical with the SCAG study area, it does contain the vast majority of population in the study area (16.1 million, ACS 2000 estimate, compared with 16.6 million in SCAG's model, Table G.1) and an even larger portion of the travel congestion problem areas.

We also suggest that two additional analysis, the first being the *actual* "clock" travel time for each income quintile and each of the other protected and non-protected groups, be performed. We understand, and agree with, SCAG's concerns regarding the use of a single hourly cost factor (such as half of the median wage rate for each group). We suggest, however, that the model run results be reported simply on the basis of time of travel, under the hypothesis that an hour of time of a first Quintile member is worth as much to him or her as an hour of time to a fifth Quintile member is worth to a member of that group.

In addition to the actual "clock" time analysis, we also suggest a second analysis utilizing the common "weighting" factors that are utilized in such transportation planning models. For example, the "wait time" spent by a transit rider between arriving at a bus stop or train station may weighted at 250% of the "clock" time in the traveler's decision as to which transportation alternative to utilize for a particular trip. By performing this analysis, we will gain a picture of how long travelers "think" their travel time is and, by comparison of the "clock" time to the "perceived" time, we will gain a measure of how much members of each group like or dislike their trip characteristics. (We would be happy to provide more detail regarding this proposal if desired, but we are confident that any competent transportation planner/modeler will immediately understand what we are proposing. While we are not familiar with the details of SCAG's transportation modeling efforts, we believe that these "perceived" time calculations are necessary part of the classic four-step "gravity" transportation modeling process and, therefore, no additional model runs will likely be required.)

4. We have a very significant problem with SCAG's overall approach to EJ compliance testing. What SCAG has basically done is to take the action recommendations that were contained in the RTP and then test the allocations of improvements in travel times and other results among the five income quintiles and the other protected and non-protected groups. We have two primary objections to this approach:

   A. By focusing the testing on the improvements, there is no consideration of the initial condition and in pre-existing disparities between groups. If a protected group is severely disadvantaged by the existing state of events regarding transportation, then a "fair" allocation of the improvements – but no change in original conditions – could result in this disadvantaged condition being accepted – assuming that it is recognized – and even institutionalized.
   B. There is no analysis of different alternatives, no testing of other uses of available funds, other ways of doing things, that could result in the disadvantaged groups gaining larger improvements than those actions recommended in the RTP – potentially, in some cases, as will be discussed below, with little or no disadvantages to the non-protected groups' members, or even to the advantage of these members.

5. We have an important question that we are unable to resolve from the information in the EJ analysis – what trips are being analyzed? Specifically, are all trips being included in the analysis, or only home-to-work trips?

We were unable to find any specific narrative statement that responds to this concern. However, in the statistical portion of the EJ Appendix, there is a schedule, "SCAG Region Workers Communting (sic) by Mode and by Ethnicity and by income Quintile." This schedule has percentages that appear to correspond to the data found in Tables G.3 and G.4 on page G-5, "Mode Usage by Income Category" and "Mode Usage by Ethnic/Racial Category," respectively – for example, the former schedule shows 6.6% of Quintile I trips are taken by "Auto-Drive Alone," while Table G.3 shows 7% for the same statistic. The "Commuting" in the title of the former schedule is commonly utilized to refer to home-to-work trips. More important, the total trip counts on the schedule, when compared to the grand total of all daily trips in the Exhibit C.34 "Modeling Summary" clearly show that what is being analyzed is home-to-work commute trips and not total trips.

We certainly agree that the RTP EJ analysis should include this home-to-work trip analysis. However, it must be kept in mind that one of the main reasons why members of the Quintile I group are members of the Quintile I group is because they do not have a job. They may be retired, they may be physically or otherwise unable to work, they may be temporarily unemployed, they may be "stay-at-home" parents or care givers, or they may be students, to name a few of the reasons why these Quintile I members are not employed – and, without employment, there is no home-to-work commute and there is no analysis of the trips taken by these individuals for EJ purposes.

This does *not*, however, mean that these non-employed persons do not travel, nor do not have travel problems, or that they cannot be negatively impacted by discrimination in the provision of transportation services. These individuals *do* travel – to school, for medical reasons, for shopping, to religious institutions, to socialize, and more many other purposes. It is entirely improper to totally ignore these members of the community for purposes of Environment Justice analysis simply because they are not employed.

It is our belief that a substantially smaller portion of the members of the Quintile I group are employed than the higher income Quintiles (and this appears to be strongly confirmed by data in this EJ analysis), and that it is also likely that the members of some or all of the other protected groups are less likely to be employed than the members of the other non-protected groups. If this belief is correct, then a substantially larger portion of the members of the protected groups would not be included in the EJ analysis than the comparable non-protected groups.

This is not an acceptable methodology for EJ analysis. The travel of non-employed persons must be included in the EJ analysis to be valid.

6. Following up on our Comment 5.B. above, a key part of any EJ analysis must be a focus on cost-effectiveness. While we would severely question any RTP or other long-range transportation plan that did not have this focus on comparison of

alternatives to identify and select the best set of possibilities, this process can not be and should not be regarded as separate and distinct from the analysis of Environmental Justice. There are limited funds available for transportation, so any funds not spent wisely, particularly when there are superior alternatives available, are needed funds for transportation improvements for protected groups – and non-protected groups – that are no longer available. We most certainly do not accept that funds spent on poor transportation alternatives can be non-discriminatory if all groups are equally disadvantaged by wasteful expenditures of public dollars.

There is very little, if anything, in the way of cost-effectiveness indicators and analysis in the EJ analysis. Indeed, there is very little on this point anywhere in the RTP. To illustrate our point, and why this analysis is so important, we will take data from various parts of the RTP to illustrate how expenditures on less productive and cost-effective transportation system components can work to the disadvantage of the members of protected groups – as well as members of non-protected groups.

Consider Table G.3, "Mode Usage by Income Category," on page G-5. Examine the line for "Commuter Rail." The percentage of total Metrolink usage increase as income rises, with only 3% of its usage coming from Quintile I (lowest income), reaching 39% for Quintile V members. Simple math, the highest income 20% of the population gets thirteen times the benefit of the lowest income 20%.

Now, consider Table G.2, "Estimated 2004 RTP Expenditures by Mode," same page. In the "Total" column, we see Commuter Rail with $6.04 billion of the total of $134.99 billion of expenditures, or 4.47% – approximately one dollar out of every 22 dollars proposed to be spent in the RTP.

Now let us shift to Technical Appendix C, Exhibit C.34, the "Modeling Summary." On page C-28, in the "2030 Plan" column, we see a grand total of 75,636,000 daily regional transportation trips.

On page C-30, same column, we see 98,000 Metrolink Boardings.

98,000 out of 75,636,000 – that's .13%, or approximately one trip out of every 772[5].

One out of each 22 dollars in the RTP produces one out of every 772 trips.

These ratios do not appear to be in proportion.

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[5] Assuming that SCAG is utilizing the common meanings of these terms, "trips" and "boardings" do *not* mean the same thing. In this context, we assume "trips" means LINKED trips, while "boardings" means "UNlinked trips." To define these terms by example, if a Metrolink riders starts his/her home-to-work travel by driving to a Metrolink parking lot, then rides Metrolink to Union Station, then takes the Red Line to a station near his/her office, and finally walks four blocks to his/her office, we have four "unlinked" trips (one each for driving, Metrolink, Red Line, and walking) that together constitute one "linked" trip – in this case, home-to-work.

In our analysis, we have treated "trips" and "boardings" as if they were comparable, which they are not. In this situation, this treatment *overstates* the percentage of total SCAG region trips that are taken on Metrolink, so we will pass on attempting any adjustment to correct for this distortion.

Now, to be fair, trips taken on Metrolink do tend to be far longer than the average length for all trips and, as a general rule, all transit trips do tend to require a greater allocation of the public sector resources accounted for in the RTP than do automobile and other non-public transit trips. However, even after considering these factoids, we still find that each Metrolink trip requires a very large investment of public tax dollars and that the users of these expensive trips are overwhelmingly higher income persons who are not persons of color or members of other protected groups.

While the above analysis alone is sufficient to raise concerns, we have only established a necessary, but not yet a sufficient condition, regarding the effectiveness of Metrolink There is an important question left unanswered – are there alternatives to Metrolink, particularly to the expensive, large-scale expansions of Metrolink that are included in the RTP?

The answer is, most assuredly, yes, in many specific cases: long-distance commuter express bus.

There are several examples of such services in the U.S., including one very applicable one actually now operated in the SCAG area, that of the three long-haul commuter express bus lines operated by the Antelope Valley Transit Authority from North Los Angeles County to destinations in the San Fernando Valley, Century City/Westside, and downtown Los Angeles. Line 785 to the Los Angeles CBD has a schedule that is very competitive with the Metrolink service from North County, has a lower fare for regular riders – and covers over 90% of its operating costs out of the farebox, unlike Metrolink, which does not cover 50% of its operating costs system-wide, and does poorer still on North County service. Of course, the capital costs of this type of bus service are miniscule compared with those of commuter rail.

Even more interesting, while Line 785 is *now* very time-competitive with Metrolink, this is *before* several HOV lane segments from North County to the LA CBD have been opened for service. When they are completed, bus service will likely have a very significant travel time *advantage*. The SCAG region already has one of the most extensive HOV networks in the U.S., with many more segments, extensions, and connections discussed in the RTP (Exhibit 4.1, "2030 High Occupancy Vehicle (HOV) Lane System). Why should not full advantage be taken of this already planned public expenditure?

Before spending billions of dollars to expand Metrolink operations, we strongly suggest first studying long-haul commuter express bus service as an alternative – including, in some cases, implementing such bus service to *replace* existing Metrolink service. Not only can long-haul commuter express bus save the vast majority of taxpayer subsidies for such transit services, it is often far faster for many users because it is far more accessible at locations close to their residences. It can be implemented in small cost increments, at very low risk, not requiring huge non-

recoverable investments in rail rights-of-way, stations, parking facilities, and vehicles to implement.

The savings from substituting long-haul commuter express bus service, instead of commuter rail service, can be utilized to significantly increase the service area, carrying far more passengers (which would like be utilized by upper income residents not members of any protected group); or for improving other types of transit and other transportation services (which would be more likely to be utilized by members of low-income and other protected groups); or simply be converted to taxes *not* collected, as may be applicable in each particular situation.

Spending less money on carrying a very small number of high-income members of no protected group means that there will be more funds available to assist low-income and other protected groups that often have no other transportation options with meaningful transit service improvements – a most valid Environmental Justice concern.

We have similar concerns about many of the rail projects included in the RTP. For example, the Pasadena Gold Line was projected, by its builder, to carry 30,000 to 38,000 riders "opening day." Yet, going on two years after opening day, the ridership has been firmly stuck at 14,000 daily riders for many months. The cost per new rider appears to be well in excess of $25 – and one expansion of this underperforming transportation system component is now underway and the RTP includes two others.

We call upon SCAG to *realistically* study *real* alternatives to expensive transit guideway projects, on the bases of *both* regional transportation planning and specific corridor planning. For example, without any doubt what-so-ever, the most successful transit ridership growth activities in Southern California over the past two decades have been those that focus on reduced transit fares and increasing and improving bus transit service.

When we discuss transit ridership in the SCAG region, the discussion begins – and largely ends – with the service operated and funded by the Los Angeles County Metropolitan Transportation Authority (MTA), which has historically carried over 70% of all unlinked transit passenger trips From fiscal years 1982 to 1985, the transit fares of the Southern California Rapid Transit District (MTA's predecessor for transit operations in Los Angeles County) were reduced from 85¢ adult cash fare to 50¢ -- and transit ridership increased by 40%, and peak period ridership increased by 35%. This is, beyond any question, the most successful transit ridership demonstration in the U.S. post-World War II – and the cost was miniscule by comparison to expensive guideway transit projects, less than 20% of the 1/2¢ Proposition A Sales Tax proceeds at the time.

As soon as this incredibly successful fare reduction came to the end of the three-year period stipulated in the Ballot Proposition, it was ended – and SCRTD/MTA ridership immediately began a period of long and almost continuous decline. Over the next

eleven years, while 60% or more of the annual subsidies for transit were devoted to rail, total ridership fell its peak of 497.2 million in FY85 to 363.6 million in FY96, down 27%, losing over 12 million riders each year – hardly a justification for the allocation of resources to expensive guideway projects.

Then, mid-way through FY97, the Consent Decree that settled *Labor/Community Strategy Center v MTA* was executed, calling for a preservation of monthly passes and roll-back of the price increases, for addition of bus service to relieve the most overcrowded buses of any major U.S. transit operator, and the first new bus lines in years. Not only was the ridership loss halted, but turned around – over the next six years, MTA ridership *increased* by over 13 million a year, adding the equivalent of the Long Beach Transit ridership (the second largest transit operator in Los Angeles County) every year for six years. And, again, the cost per new rider was miniscule compared to expensive transit guideways, even utilizing MTA's rather incredible overcosting practices.

When will regional transportation planning see the exploration of these *proven*, incredibly successful transit ridership increase methodologies as alternatives to the *proven* failures of expensive guideway transit projects?

7. While there are interesting mode usage schedules on page G-5 (Tables G.3, "Mode Usage by Income Category" and G.4, "Mode Usage by Ethnic/Racial Category"), what is missing is a schedule in the same format that shows the actual *quantities* of transportation utilized, and percentage allocations from a different set of totals. These schedules are to be added "horizontally" – if we add the 22% of bus trips taken by Quintile I riders to the 28% taken by Quintile II riders, etc., we will get a total of the 100% of all bus trips.

However, there are two important factors missing, at least in the up-front, narrative portion of this section. The first schedule we suggest adding would be totaled "vertically," showing how the trips taken by each quintile or other group are allocated between transportation modes – such as, X% of all Quintile I trips are walk trips. There would be two added schedules in this format, one by Income Category and the other by Ethnic/Racial Category, and they should also have grand totals for all groups, showing the distribution of all trips in the SCAG area. (It appears that most of the data required to do these calculations are presented on a schedule in the statistical section in the rear, unnumbered, entitled, "SCAG Regional Workers Communting [sic] by Mode and by Ethnicity and by Income Quintile.")

The other report we suggest adding can be produced from the same data, but, rather than taking the totals for each Quintile or other protected group, use the grand total for all trips, to show the total travel that is being analyzed.

We have made a first pass at such schedules, which are attached. It points out some most interesting things, such as:

B. Quintile I (lowest income) accounts for 8.17% of all work trips, Quintile V (highest income) accounts for 28.29% – 246% more, per capita.
C. White residents, which are projected by SCAG to be 34.4% of all residents in 2030 (Table G.1, "Projected Demographic Changes in the SCAG Region, 2000-2030, page G-2), account for 45.6% of the home-to-work trips, with the trips/population ratio therefore being 133%, while Hispanics, projected as 42.7% of the 2030 population, account for only 33.9% of trips, a ratio of 79%. When we combine these two ratio's – 133%/79% = 168% -- we find that each White person's trips are given far more weighting in this analysis than a Hispanic person's trips. The comparisons for other protected groups are similar.
D. Bus accounts for 11.28% of Quintile I work trips, 1.47% of Quintile V work trips, and 4.21% of all work trips.
E. Commuter Rail accounts for .23% of all work trips.
F. Light and Heavy Rail Account for .16% of all work trips.

8. Unfortunately, the above analysis pointed out a very large number of inconsistencies and questions in the "SCAG Region Workers Communting" (sic) schedule, the schedule that is the source of Modal Usage by Income and Ethnic/Racial data that are such key components of this entire analysis, including:

A. The total work trips on this schedule are 6,716,416; on the Exhibit C.34 "Modeling Summary," page C-28, it is 8,937,000 for the same year (2000). The reason for this difference is the source of the detail data. The former are from 2000 Census survey responses, the latter is the output of SCAG's transportation planning modeling. Why is there such a large difference and why are two entirely different sources utilized for two very important, but not the same, purposes within the same larger report?
B. The data used in many of the analyses in the EJ report is from the year 2000. Why isn't there an attempt to show how things will change over the 25 years of the planning period, out to 2030? Why are we assuming that so many very important factors are going to remain static in the EJ analysis, when these same factors – income level and distribution, ethnicity, travel options, travel patterns, etc. – are being radically changes in the main RTP planning and modeling?
C. The data shows 3,000 "streetcar," 7,434 "Subway/Elevated," and 15,469 "Rail" work trips. First, the terms are strange for the current purpose[6]:

1. There are no operating "streetcar" transit system in the SCAG region, as that term is utilized by transit professionals; in 2000, there were two operational "light rail" systems, the Long Beach-Los Angeles Blue Line and the Norwalk-El Segundo Green Line.
2. When the terms, "Subway/Elevated," are combined in this manner, it generally denotes what is known to transit professionals as "heavy rail."

[6] The likely explanation for these unusual terms is that they were taken directly from the Census 2000 survey forms and results, as the Source note on the "SCAG Region Workers Communting (sic)" schedule states. If so, this, and the data discontinuities discussed following, raise large questions of the accuracy of the data as applied and, therefore, the utility of the analyses that were based on this data.

There was on operational "heavy rail" system in the SCAG area in 2000, the MTA Red Line, which operated from Union Station to Wilshire/Western and Hollywood/Vine, and was extended to North Hollywood in July of calendar year 2000. The Red Line is totally a subway; no portion of it could be considered "elevated." The Green Line could be considered "elevated" for some purposes, but, under Federal Transit Administration standards and all common use of terminology, it is considered light rail.

3. "Rail" is a very broad term, which includes both of the above *and* Metrolink operations, which is generally more specifically referred to as "commuter rail" or "regional rail." It would also include Amtrak and Amtrak California services, which are "intercity rail," but which are used for commuting purposes by some SCAG region residents and some San Diego County and other non-SCAG region residents who commute to the SCAG region. Because it appears that every other rail line type has been accounted for, I assume that "Rail" must refer to Metrolink + Amtrak/Amtrak California service.

G. Some of the data appears questionable. There are 10,434 "Urban Rail Usage" work trips, evidently for the Red, Blue, and Green Lines combined. These three lines reported a total of 174,554 total daily boardings to the Federal Transit Administration's National Transit Database for the 2000 reporting year (the Los Angeles County Metropolitan Transportation Authority reports on a June 30 year-end, and this year was selected over the 2001 report because the 2001 report included the operations of the Red Line extension to North Hollywood that opened in July 2000 and the Census was taken in April 2000, before that extension opened for revenue service). This is a ratio of almost 17:1. "Rail" shows 15,469 daily work trips – almost 50% more than that for the Red, Blue, and Green Line combined – while Metrolink reported 26,300 daily boardings to the FTA, a ratio of less than 2:1. Even when Amtrak/Amtrak California boardings in the SCAG region are factored in, there are huge differences that cannot be explained in the resulting ratios. One or the other or, more likely, both of the "SCAG Region Communting" (sic) rail work trips counts appear very questionable.

These and other issues make the data utilized in the EJ analyses appear extremely unreliable, throwing the utility of the analysis into serious question.

8. On page G-12, we have:

"Transit users in the two lowest income quintiles pay just over 20% of total sales and gasoline taxes collected in the region, but will enjoy over 50% of the time savings realized from the 2004 RTP investments in local transit systems. As shown in Figure G.10.b., the Hispanic segment of the region's 2030 population will enjoy 79% of local transit time savings under the 2004 RTP."

These two statements appear to be a major justification for the overall finding of this EJ analysis that there are no Title VI or other EJ problems. However, the above analysis is flawed:

A. Gas taxes and part of sales taxes go for roads, yet the above statement ignores the benefits – or lack thereof – that Quintile I and II members and Hispanics will receive, compared to members of non-protected groups.
B. As discussed above, there are considerable problems with SCAG's allocation of transit and road benefits.

9. While the Center strongly supports public transit, we oppose the California High Speed Rail Authority's proposal to build a high speed rail from Northern to Southern California because it would disproportionately hurt low income communities and communities of color. We are particularly concerned about the potential impact of the proposed high speed rail on the new State Parks in the Cornfield and Taylor Yard along the Los Angeles River and the surrounding communities. However, our concerns extend to potential impacts on all parklands and on the environmental justice impacts generally. The Center has submitted public comments to oppose the high speed train, *available at:*

http://www.clipi.org/pdf/comments-highspeed.pdf

Similarly, we believe that the SCAG Maglev plans are totally unrealistic and that consideration of such concepts should be eliminated from the regional transportation planning discussion so that the focus can remain on what the real requirements are and what the real potential improvements can be.

10. We urge SCAG to include public health as a consideration in its RTP planning, modeling, and decision-making process and the EJ component thereof, specifically including the following aspects:

A. Emissions (which is currently included)
B. Access to health care providers via the transportation system, specifically including via public transit for the transit-dependent
C. Access to parks, schools, and other playgrounds and recreational areas, with particular emphasis on the ability of our increasingly obese and out-of-shape children to be able to utilize the incredibly few and small parks in the area that are particularly poorly located for peoples of color.
D. Transportation safety – unfortunately, running high-speed transit guideways at grade through densely populated areas has proven to be an invitation to disaster.

FINAL 2004 RTP ENVIRONMENTAL JUSTICE ANALYSIS -- DETAIL OF EXPENDITURE ANALYSIS
TRIPS BY MODE VS. INCOME QUINTILE AND ETHNIC/RACIAL CATEGORY

Category	Bus	HOT/HOV/HOV Connectors	Commuter Rail	Highways/ Arterials	Light/Heavy Rail	TDM/Non-Motorized	Totals
Mode Usage (Counts) by Income Category							
Quintile I	61,889	92,895	495	321,264	1,333	70,779	548,655
Quintile II	79,628	188,095	1,340	699,949	1,905	94,572	1,065,489
Quintile III	63,726	237,450	2,685	999,785	2,227	102,762	1,408,635
Quintile IV	49,821	272,662	4,876	1,355,578	2,772	107,816	1,793,525
Quintile IV	27,898	232,430	6,073	1,501,204	2,197	130,310	1,900,112
Total	282,962	1,023,532	15,469	4,877,780	10,434	506,239	6,716,416
Mode Usage (Percentages) Within Quintile							
Quintile I	11.28%	16.93%	0.09%	58.55%	0.24%	12.90%	100.00%
Quintile II	7.47%	17.65%	0.13%	65.69%	0.18%	8.88%	100.00%
Quintile III	4.52%	16.86%	0.19%	70.98%	0.16%	7.30%	100.00%
Quintile IV	2.78%	15.20%	0.27%	75.58%	0.15%	6.01%	100.00%
Quintile IV	1.47%	12.23%	0.32%	79.01%	0.12%	6.86%	100.00%
Mode Usage (Percentage) Within Grand Total Trip Count							
Quintile I	0.92%	1.38%	0.01%	4.78%	0.02%	1.05%	8.17%
Quintile II	1.19%	2.80%	0.02%	10.42%	0.03%	1.41%	15.86%
Quintile III	0.95%	3.54%	0.04%	14.89%	0.03%	1.53%	20.97%
Quintile IV	0.74%	4.06%	0.07%	20.18%	0.04%	1.61%	26.70%
Quintile IV	0.42%	3.46%	0.09%	22.35%	0.03%	1.94%	28.29%
Total	4.21%	15.24%	0.23%	72.62%	0.16%	7.54%	100.00%

Data Source: RTP, Appendix G, "Environmental Justice," "SCAG Region Workers Commuting by Mode and by Ethnicity and by Income Quintile."

FINAL 2004 RTP ENVIRONMENTAL JUSTICE ANALYSIS -- DETAIL OF EXPENDITURE ANALYSIS
TRIPS BY MODE VS. INCOME QUINTILE AND ETHNIC/RACIAL CATEGORY

Category	Bus	HOT/HOV/HOV Connectors	Commuter Rail	Highways/ Arterials	Light/Heavy Rail	TDM/Non-Motorized	Totals
Mode Usage (Counts) by Ethnic/Racial Category							
White	35,214	304,157	7,528	2,461,536	3,540	250,060	3,062,035
Black	29,376	62,304	1,891	309,766	1,284	24,429	429,050
Asian	20,046	120,821	2,000	565,233	1,215	44,010	753,325
Indian	1,047	4,079	50	17,900	33	1,687	24,796
Other	5,738	23,509	311	127,399	366	14,005	171,328
Hispanic	191,541	508,662	3,689	1,395,946	3,996	172,048	2,275,882
Total	282,962	1,023,532	15,469	4,877,780	10,434	506,239	6,716,416
Mode Usage (Percentages) Within Ethnic/Racial Category							
White	1.15%	9.93%	0.25%	80.39%	0.12%	8.17%	100.00%
Black	6.85%	14.52%	0.44%	72.20%	0.30%	5.69%	100.00%
Asian	2.66%	16.04%	0.27%	75.03%	0.16%	5.84%	100.00%
Indian	4.22%	16.45%	0.20%	72.19%	0.13%	6.80%	100.00%
Other	3.35%	13.72%	0.18%	74.36%	0.21%	8.17%	100.00%
Hispanic	8.42%	22.35%	0.16%	61.34%	0.18%	7.56%	100.00%
Mode Usage (Percentage) Within Grand Total Trip Count							
White	0.52%	4.53%	0.11%	36.65%	0.05%	3.72%	45.59%
Black	0.44%	0.93%	0.03%	4.61%	0.02%	0.36%	6.39%
Asian	0.30%	1.80%	0.03%	8.42%	0.02%	0.66%	11.22%
Indian	0.02%	0.06%	0.00%	0.27%	0.00%	0.03%	0.37%
Other	0.09%	0.35%	0.00%	1.90%	0.01%	0.21%	2.55%
Hispanic	2.85%	7.57%	0.05%	20.78%	0.06%	2.56%	33.89%
Total	4.21%	15.24%	0.23%	72.62%	0.16%	7.54%	100.00%

Data Source, including "Category" titles: RTP, Appendix G, "Environmental Justice," "SCAG Region Workers Commuting by Mode and by Ethnicity and by Income Quintile."